

DANIEL SPENCER.

MAY 25, 1842.

Read, and laid upon the table.

Mr. COWEN, from the Committee of Claims, made the following

REPORT:

The Committee of Claims, to which was referred the petition of Daniel Spencer, report:

The petitioner sets forth that he was mustered into the United States service, as a militia volunteer, on the Illinois river, in a company commanded by Captain Mayo, belonging to the second brigade, under the command of Brigadier General Alexander, and of Blackburn's regiment; that he acted as 3d sergeant in said company, and marched with said regiment and company to the Rock river; that at that point a detached company was selected from the different companies to go back for supplies to the place from whence they had started, and that one of the lieutenants and the petitioner were the officers selected to command said detachment; that they obtained the supplies wanted, and then marched to Dixon's ferry, and went into Fort Dixon, under the care of Captain Palmer, a United States officer; that while there he was taken sick, and that, during the time of his sickness, his horse was taken and sent with an express to Galena, by which he was rode down, as alleged, and abandoned; that the horse was worth \$65; that, during the remainder of the campaign, he was exposed to increased hardships, and when mustered out of service was compelled to buy another horse or be obliged to walk home two hundred miles—his residence being in Paris, Edgar county, Illinois; that no allowance has ever been made him for said horse; and that he was not included in the list of persons who had lost property, (made out by Captain Mayo,) in consequence of his captain not knowing of his loss, which happened when he was absent from his company, sick, and among strangers. He therefore claims payment for his horse, and compensation for the increased hardships he had to undergo during the remainder of the said campaign of 1832.

There is no evidence offered in support of this claim except the petitioner's own oath; and although his veracity is vouched for by John S. Watts and Thomas Smith, who say that his character is good, and what he says to be relied on, yet the committee are of opinion that, without other testimony, the claim is inadmissible. It is believed that no claim has ever been favorably reported on by this committee which has rested

alone for its support on the evidence of the claimant, and that to report favorably in this case would be establishing a precedent of very dangerous tendency. They therefore offer for the adoption of the House the following resolution :

Resolved, That the prayer of the petitioner be rejected.

REPORT

The Committee of Claims, to which was referred the petition of Daniel Spencer, report :

The petitioner sets forth that he was mustered into the United States service as a militia volunteer, on the Hinnah river, in a company commanded by Captain Mayo, belonging to the second brigade, under the command of Brigadier General Alexander, and of Blackburn's regiment, that he acted as 6d sergeant in said company, and watched with said regiment and company to the Rock river; that at that point a detached company was selected from the different companies to go back in support to the place from whence they had started, and that one of the volunteers and the petitioner were the officers selected to command said detachment; that they obtained the supplies wanted, and then marched to Dixon's ferry, and went into Holt Dixon under the care of Captain Palmer, a United States officer; that while there he was taken sick, and during the time of his sickness, his horse was taken and sent with drivers to Cahoon, by which he was rode down, as alleged, and when found, that the horse was worth \$60; that during the remainder of the campaign, he was exposed to increased hardship, and when requested out of service was compelled to buy another horse as he obliged to with some two hundred miles—his residence being in Linn, Iowa county, Illinois; that no allowance has ever been made him for said horse; and that he was not included in the list of persons who had lost property, but he was out by Captain Mayo, in consequence of his captain not knowing of his loss, which happened when he was absent from his company, sick and weak straggler. He therefore claims payment for his horse, and compensation for the increased hardship he had to undergo during the remainder of the said campaign of 1833.

There is no evidence offered in support of this claim except the petitioner's own oath; and although his veracity is touched for by John E. Wells and Thomas Smith, who say that his character is good, and what is to be relied on, yet the committee are of opinion that, without other testimony, the claim is inadmissible. It is believed that no claim has ever been favorably reported on by this committee which has rested